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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/762,581	04/02/2001	Takashi Aramaki	L9289.01110P	5737

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EXAMINER
DAGOSTA, STEPHEN M

ART UNIT	PAPER NUMBER
2683	

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/762,581	ARAMAKI ET AL.	
	Examiner	Art Unit	
	Stephen M. D'Agosta	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 December 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *12-15 and 17-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *12,13,15 and 17-19* is/are rejected.

7)☒ Claim(s) *14* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 12-16-2005 have been fully considered but they are not persuasive.

1. The applicant argues that the prior art does not teach:

"...a base station apparatus that receives a network identifier used by an existing base station apparatus and assigns this network identifier to itself...".

The examiner notes that the claims do not specify how one can interpret the meaning of a Network ID. Since much of the art put forth by the examiner deals with and/or supports LAN/Internet technology, one skilled would use the technology with the TCP/IP protocol. With this said, the examiner states for the record that TCP/IP addresses contain a "Network" portion (which is common to devices on that network segment) along with a "Host" portion (which uniquely identifies each device). Hence, the Network portion would be the same while the Host portion would be unique. Therefore, the examiner upholds his rejection since the claim language does not limit how the examiner can interpret the term "Network ID". It is the examiner's opinion that the teachings of the prior art reflect this interpretation (per the office actions).

2. The previously transmitted office action is attached for informational purposes only.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 12-13, 15-16 and 18-19 rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmadi et al. US 6,597,671 and further in view of (hereafter Ahmadi, Aho et al. US 5,408,618 and Sidhu et al. US 5,150,464).

As per **claims 12, 15 and 18**, Ahmadi teaches a base station apparatus forming a communication network that is identified by a unique network identifier (figures 1 and 1a, #26 or 28, figure 6, C12, L33-45 and figures 9, 11 – see "base station ID" and "network ID"), the base station apparatus comprising:

an assigner that assigns network identifier to said base station apparatus (C8, L47-49, C12, L33-45 and also figure 6, C12, L40-45); and

wherein when said base station apparatus and said existing base station apparatus form a same communication network, the assigner assigns the network identifier used by said existing base station apparatus to said base station apparatus (Ahmadi teaches a MANUAL process whereby the network operator assigns "static" NET ID's to each base station) **but is silent on** a table that stores states of use of a plurality of network identifiers and a receiver that receives information about a state of use of a network identifier used by an existing BTS, AND said information and updates the table in accordance with said information and said same network identifier assigned to said BTS with reference to said information stored in the table, and a transmitter that transmits information about the updated table.

Ahmadi does teach a table to store information regarding routing/addressing (see Table 2, Column 16 which teaches correlation between NET ID, Base Station name and (routing) "distance" and also C15, L60 to C16, L59).

Aho teaches automatic configuration (title) whereby a mechanism for monitoring and responding to LAN changes is disclosed (abstract, figures 1-7 and 8c and C2, L60 to C4, L11). Aho teaches many different embodiments are possible (C4, L35-50), including wireless LAN's. He teaches querying other nodes for address information (C3, L10-34) which one skilled understands includes responding with "status" as to their address information. Aho teaches TCP/IP which uses the same Network ID for a LAN Segment and thusly, Aho would use the same Network ID for any newly added device to said LAN segment based on the TCP/IP Address table, eg. DHCP). Further to this point is Sidhu, who teaches LAN device startup process (title) to ensure that a unique network address is assigned (abstract). This requires contacting other nodes to inquire about their address and storing information in RAM (abstract). Sidhu selects a random address and then checks to see if it is use (which is a different embodiment – see figure 12a-c). One skilled understands that the system inherently becomes aware of the state of use of network ID's via this process.

With further regard to claim 15, Ahmadi teaches transmission/reception means via wired/wireless means (figures 1 and 1a) **but is silent on** periodic transmission of NET ID information AND the receiver receives said information about the state of use of the network ID that is reported from said existing BTS apparatus and that is transmitted,. DHCP discloses transmission of NET ID addressing data periodically as users are added/removed or when the network topology changes. The primary examiner also notes that routers update their routing tables when network topology changes occur as well. Also, Aho's and Sidhu's teachings read on the claim.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Ahmadi, the system stores states of a plurality of network ID's and transmits this information about updates, to provide automatic "care and provisioning" of NET ID's throughout the network.

As per **claim 13**, Ahmadi teaches claim 12, wherein when said base station apparatus and said existing base station apparatus form different communication networks, the assigner assigns a network identifier, unused by said existing base station apparatus and different from the network identifer used by said existing BTS apparatus to said BTS apparatus (NET ID assigning means for assigning an unused NET ID as the NET ID of the own station based (C8, L47-49 and C12, L33-45 and C12, L40-45)

As per **claim 16**, Ahmadi teaches claim 12, wherein the investigator investigates a state of use of network identifiers based on network identifier information transmitted from said existing base station apparatus (Ahmadi teaches an "assigner that assigns a network identifier" to said base station apparatus -- C8, L47-49, C12, L33-45 and also figure 6, C12, L40-45 – hence the assigner must investigate the state of use of NET ID's since you should not allocate the NET ID more than once, which reads on the claim).

As per **claim 19**, Ahmadi teaches claim 12, **but is silent on** wherein the receiver receives information about a table that stores states of use of a plurality of network identifiers in said existing BTS apparatus as said information about the state of use of the network identifier.

Ahmadi does teach a table to store information regarding routing/addressing (see Table 2, Column 16 which teaches correlation between NET ID, Base Station name and (routing) "distance" and also C15, L60 to C16, L59).

Aho teaches automatic configuration (title) whereby a mechanism for monitoring and responding to LAN changes is disclosed (abstract, figures 1-7 and 8c and C2, L60 to C4, L11). Aho teaches many different embodiments are possible (C4, L35-50), including wireless LAN's. He teaches querying other nodes for address information (C3, L10-34) which one skilled understands includes responding with "status" as to their address information. Further to this point is Sidhu, who teaches LAN device startup process (title) to ensure that a unique network address is assigned (abstract). This requires contacting other nodes to inquire about their address and storing information in RAM (abstract). Sidhu selects a random address and then checks to see if it is use

(which is a different embodiment – see figure 12a-c). One skilled understands that the system inherently becomes aware of the state of use of network ID's via this process.

DHCP discloses transmission of NET ID addressing data periodically as users are added/removed or when the network topology changes. The primary examiner also notes that routers update their routing tables when network topology changes occur as well. Also, Aho's and Sidhu's teachings read on the claim.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Ahmadi, wherein the receiver receives information about a table that stores states of use of a plurality of network identifiers in said existing BTS apparatus as said information about the state of use of the network identifier, to provide automatic "care and provisioning" of NET ID's throughout the network.

Claim 17 rejected under 35 U.S.C. 103(a) as being unpatentable over Ahmadi/Aho/Sidhu and further in view of Kakushi JP-08107414A.

As per **claim 17**, Ahmadi teaches claim 12, **but is silent on** further comprising a scrambler that performs scrambling processing on network identifiers.

Kakushi teaches scrambling of transmitted data which includes scrambling of the NET ID's.

It would have been obvious to one skilled in the art at the time of the invention to modify Ahmadi, such that data is scrambled, to provide security through encryption.

Allowable Subject Matter

Claim 14 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 14 (and claim 13) would be novel if added to claim 12 since they recite a highly specific design not found in the prior art of record.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. D'Agosta whose telephone number is 571-272-7862. The examiner can normally be reached on M-F, 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Stephen D'Agosta
Primary Examiner
12-29-2005